

(Translated from Russian)

Permanent Mission of the Russian Federation

No. 309

The Permanent Mission of the Russian Federation to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, with reference to the request of the Special Rapporteur of the Human Rights Council on the situation of human rights defenders (Ref.: UA RUS 1/2018), has the honour to transmit herewith information from the Russian Federation.

The Permanent Mission of the Russian Federation takes this opportunity to convey to the Office of the United Nations High Commissioner for Human Rights the renewed assurances of its highest consideration.

Geneva, 31 January 2018

Office of the United Nations
High Commissioner for Human Rights
Geneva

HRC/NONE/2018/15
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Information from the Russian Federation in response to the request of the Special Rapporteur of the Human Rights Council on the situation of human rights defenders regarding the case of O.S. Titiev

Reference: UA RUS 1/2018

Oyub Salmanovich Titiev, born in 1957, is the director of the Human Rights Centre “Memorial” in Grozny, Chechen Republic.

On 9 January 2018, in the course of their preventive activities, officers from the department of the Ministry of Internal Affairs of the Russian Federation for Kurchaloy district, Chechen Republic, pulled over a car with licence plate VAZ-111930 (a Lada Kalina) on the road between Kurchaloy and Mayrtup, Kurchaloy district, Chechen Republic, for a document check. Mr. Titiev was the driver of the car. During an inspection of the car’s interior, the police officers found a black plastic bag weighing approximately 200 g and containing a plant-based substance with a distinct smell of cannabis.

The seized substance was sent to the forensic evidence centre of the Ministry of Internal Affairs for the Chechen Republic for testing. Mr. Titiev was also sent for a medical examination.


The same day, based on a report by an officer of the local unit of the State Inspectorate for Road Traffic Safety regarding the discovery of the bag, criminal proceedings were instituted against Mr. Titiev on the basis of evidence of an offence under article 228 (2) of the Criminal Code of the Russian Federation (illegal possession of narcotic substances).

Mr. Titiev was detained on 9 January 2018 in accordance with the procedure established under articles 91 and 92 of the Code of Criminal Procedure of the Russian Federation (grounds for the detention of a suspect). In accordance with article 51 of the Constitution of the Russian Federation, he refused to give a statement.

On the day on which Mr. Titiev was detained, the Human Rights Commissioner of the Chechen Republic, N. S. Nukhazhiev, stated that no violations of the law on the part of the police officers who had detained Mr. Titiev had been identified.

On 10 January 2018, Mr. Titiev was charged under article 228 (2) of the Criminal Code (possession of a particularly large amount of narcotic substances).

On 11 January, Shali city court, Chechen Republic, remanded Mr. Titiev in custody until 9 March 2018 as a preventive measure.



On 16 January 2018, the investigation department for the Chechen Republic, a unit of the Investigative Committee of the Russian Federation, registered a request from Mr. Titiev for proceedings to be brought against the unknown police officers whom he alleges to have planted a black bag containing a narcotic substance in his car on 9 January 2018 in order to falsify a criminal case against him.

The initial inquiry is still under way, and measures are being taken to establish all circumstances of relevance to the adoption of a procedural decision. The conduct of the investigation is being monitored.

The Council for the Development of Civil Society and Human Rights attached to the Office of the President of the Russian Federation is monitoring the situation. The Ministry of Internal Affairs of Russia, the Office of the Procurator-General and the Investigative Committee of the Russian Federation have been requested to verify the information provided on the “fabricated nature” of the criminal case against Mr. Titiev. The Council for the Development of Civil Society attached to the Office of the Head of the Chechen Republic has been mandated to conduct public oversight of the case, and some of its members have visited Mr. Titiev at the remand centre and have also met with his relatives and lawyers.